

### REMARKS

Upon entry of this Amendment, claims 33-55 and 57-64 will be pending, of which claims 33, 59, 61, and 63 are independent. Claims 53 and 55 have been amended. It is respectfully submitted that no new matter has been introduced. Reconsideration of the outstanding rejections is respectfully requested in view of the above amendments and the following remarks.

#### Rejections under 35 U.S.C. 112

Claims 53 and 55 stand rejected under 35 U.S.C. 112, second paragraph. Regarding claim 53, Applicants have rewritten this claim to use some more conventional claim language, although it is noted that the claim indicated the display device to *additionally* comprise the light valve, thus requiring no antecedent basis in claim 33. Furthermore, it is noted that the term "obtainable" in claim 55 has been replaced with "obtained". It is respectfully submitted that all claims are in full compliance with 35 U.S.C. 112.

#### Rejections under 35 U.S.C. 102(b) and 103(a)

Except for claims 48-49, which are indicated to be allowable, all claims stand rejected over an article in the journal Science by Weder *et al.* entitled "Incorporation of photoluminescent polarizers into liquid crystal displays". The Examiner apparently considers this article to constitute prior art under 35 U.S.C. 102(b) and, therewith, also under 35 U.S.C. 103(a). *See*, generally, the outstanding Office Action.

Applicants note that the date of publication of the article is February 6, 1998<sup>1</sup>. Furthermore, it is noted that the present application stems from a PCT application that designated the U.S. and was filed on June 29, 1998. Accordingly, the PCT application was filed within a year of the article's publication. Consequently, the article does not constitute prior art under 35 U.S.C. 102(b) and withdrawal of the rejections is respectfully requested.

For any and all of the above reasons, it is respectfully submitted that the present invention is patentable.

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<sup>1</sup> Applicants note that the Information Disclosure Statement (IDS) submitted on January 3, 2000, erroneously lists the article to have a publication date of February 1995. Applicants apologize for this inadvertent oversight and kindly refer the Examiner to the article itself or the International Search Report submitted with the IDS for the correct publication date of February 1998.

Finally, Applicants kindly reiterate that the Examiner's initials do not appear next to U.S. Patent 4,142,781 listed on the copy of Form PTO-1449 that Applicants received with the Office Action dated July 19, 2002. For completion of their records, an additional copy of the Form PTO-1449 with the Examiner's initials next to the listed U.S. Patent is kindly requested.

**CONCLUSION**

Because all rejections have been addressed and overcome, it is respectfully submitted that the application is in condition for allowance and a Notice to that effect is courteously solicited. However, if any questions remain, the Examiner is encouraged to call the undersigned to expedite the prosecution of this application.

Respectfully submitted,

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Attachment: Appendix  
Attorney Reference: 065322/0265540

**APPENDIX TO SHOW CHANGES MADE**

**IN THE CLAIMS**

Claims 53 and 55 have been amended as follows:

53. (Amended) A display device according to claim 33, **[that additionally comprises]** wherein said display device further comprises a light source and wherein said light source is characterized in that its emission spectrum overlaps with the absorption spectrum of said photoluminescent layer.

55. (Amended) A display device according to claim 33, wherein said thin photoluminescent layer is **[obtainable]** obtained by a technique selected from the group consisting of tensile orientation, oriented growth, friction, photo-induced alignment and alignment in electric, magnetic and flow fields or combinations thereof, of photoluminescent substances.

*End of Appendix*